

REMARKS

The present Amendment amends claims 1-10, 12 and 15-19, and leaves claims 11, 13, 14 and 20 unchanged. Therefore, the present application has pending claims 1-20.

Information Disclosure Statement

The Examiner has objected to Applicants' Information Disclosure Statement filed on September 2, 2003 because the references were not listed on a Form PTO-1449. Applicants are submitting herewith an Information Disclosure Statement and an appropriate Form PTO-1449 and respectfully request that this objection be withdrawn and the cited references be considered by the Examiner.

35 U.S.C. §101 Rejections

Claims 19 and 20 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. This rejection is traversed for the following reasons. Applicants submit that claims 19 and 20, as now more clearly recited, are directed to a computer program embodied in a computer readable storage medium. Therefore, this rejection is overcome and should be withdrawn.

35 U.S.C. §102 Rejections

Claims 1-20 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,704,905 to Fukushige, et al. ("Fukushige"). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention, as now more clearly recited in claims 1-20, are not taught or suggested by Fukushige, whether taken individually or in combination with any of the

other references of record. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims to more clearly describe features of the present invention. Specifically, amendments were made to the claims to more clearly describe that the present invention is directed to an information delivery method, an information delivery apparatus, and a computer program embodied in a computer readable storage medium as recited, for example, in independent claims 1, 7, 9, 15, and 19.

Claims 1-6 and 15-18

The present invention, as recited in claim 1 and as similarly recited in claim 15, provides an information delivery method and apparatus for delivering document information that fulfills a previously set delivery condition. The method includes a step of delivering the document information in accordance with the delivery condition. The method also includes a step of storing the delivered document information. In the present invention, a user evaluates the delivered and stored document information and determines whether or not the document information is unfit. If the evaluation by the user indicates that the delivered document information is unfit, the method performs a step of extracting characteristic character strings from the document information evaluated by the user, where the document information evaluated by the user includes at least one first document. The extracted characteristic character strings are used to retrieve at least one second document that is similar to the at least one first document the user declared as being unfit, from the stored document information. The method also includes presenting the retrieved

at least one second document and the evaluated at least one first document. The prior art does not disclose all these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record, particularly Fukushige, whether taken individually or in combination with the other references of record.

Fukushige discloses a text classifying parameter generator and a text classifier using the generated parameter. However, there is no teaching or suggestion in Fukushige of the information delivery method and apparatus of the present invention, as recited in claims 1 and 15.

Fukushige's parameter generator generates a set of parameters used for determining whether a given document belongs to a specified one of a plurality of categories. An evaluation sample selection screen enables an operator to interactively enter various command parameters for selecting documents for which the calculated membership scores are to be evaluated. In response to an input of one of the command parameters, information useful for the selection of documents is visually presented to the operator. An evaluation value input screen shows selected documents and permits the operator to enter an evaluation value to each of the displayed selected documents. The entered evaluation values are reflected to the reference vector of the specified category.

One feature of the present invention, as recited in claim 1 and as similarly recited in claim 15, includes where if an evaluation by a user indicating that the delivered document is unit is received, the method performs the step of extracting

characteristic character strings from the evaluated document information. The evaluated document information includes at least one first document. Fukushige does not disclose this feature. To support the assertion that Fukushige discloses extracting characteristic character strings from a document that has been evaluated as being unfit, the Examiner cites column 3, lines 35-40; column 10, lines 38-41, 50-61, and 64-67; column 11, lines 1-3; and Fig. 7. However, the cited text and drawings do not disclose where a user evaluates a delivered document and determines that the delivered document is unfit, and where character strings are extracted from the unfit document. To the contrary, Fukushige discloses where a system selects documents based on a set of criteria, presents the selected documents to a user, and where the user then evaluates the documents. The user's evaluation consists of entering command parameters for selecting documents for which membership scores are to be evaluated. In response, information useful for the selection of documents is visually presented to the user. The selected documents are shown to the user, and the user can enter evaluation values. (See generally, column 3, lines 13-35). This is quite different from the present invention, where the evaluation of a document includes determining that a document is unfit, and extracting character strings from the unfit document.

Another feature of the present invention, as recited in claim 1 and as similarly recited in claim 15, includes using the extracted characteristic character strings to retrieve at least one second document that is similar to the at least one first document, which the user declared as unfit. Fukushige does not disclose this feature. To support the assertion that Fukushige discloses extracting characteristic

character strings from an unfit document, to retrieve a document similar to the document evaluated as unfit, the Examiner cites column 11, lines 33-48 and Fig. 7. The cited text provides a description of Fig. 13 and describes a graph-based selection of documents, which is quite different from extracting character strings from an unfit document as in the present invention. Furthermore, Fukushige describes in column 3, lines 36-41 where a further selection is possible based on selected evaluation samples, where the further selection may be based upon the degree of similarity to a user-specified sample. The further selection may be implemented by extracting key words from the selected evaluation samples and conducting a search with the key words. These features of Fukushige are also quite different from the present invention, in that Fukushige does not disclose extracting character strings from an unfit document, to retrieve a document similar to the document evaluated as unfit. Therefore, Fukushige does not disclose the claimed features.

Yet another feature of the present invention, as recited in claim 1 and as similarly recited in claim 15, includes presenting the retrieved at least one second document and the evaluated at least one first document. Fukushige does not disclose this feature. The Examiner provides no support for the assertion that Fukushige discloses presenting both the retrieved and evaluated documents. Furthermore, Fukushige only discloses the presentation of a first group of documents. That is to say, Fukushige's system retrieves no additional documents after the operator has evaluated the selected documents. This is unlike the present invention, where at least one second document and at least one first evaluated document are presented.

Therefore, Fukushige fails to teach or suggest "if an evaluation by a user indicating that said delivered document information is unfit is received, extracting characteristic character strings from the evaluated document information, which includes at least one first document" as recited in claim 1, and as similarly recited in claim 15.

Furthermore, Fukushige fails to teach or suggest "by using the extracted characteristic character strings, retrieving at least one second document similar to the at least one first document evaluated as unfit from the stored document information" as recited in claim 1, and as similarly recited in claim 15.

Even further, Fukushige fails to teach or suggest "presenting the retrieved at least one second document and the evaluated at least one first document" as recited in claim 1, and as similarly recited in claim 15.

Claims 7, 8, 19, and 20

The present invention, as recited in claim 7 and as similarly recited in claim 19, includes an information delivery method and a computer program embodied in a computer readable storage medium for delivering document information to a user that fulfills a deliver condition pre-set by the user. The method includes the steps of delivering the document information, which includes documents, and then storing the delivered documents. If a request to change the delivery condition is received, the method includes changing the delivery condition according to the change request. The method also includes searching the stored documents according to the changed delivery condition. Of the searched documents, documents that do not fulfill the

changed delivery condition are presented. The prior art does not disclose all these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record, particularly Fukushige, whether taken individually or in combination with the other references of record.

As previously discussed, Fukushige discloses a text classifying parameter generator and a text classifier using the generated parameter. However, there is no teaching or suggestion in Fukushige of the information delivery method and computer program of the present invention, as recited in claims 7 and 19.

One feature of the present invention, as recited in claim 7 and as similarly recited in claim 19, includes documents, of a group of searched documents, are presented that do not fulfill a changed delivery condition. That is to say, in the present invention, documents, which fulfill a delivery condition, are delivered and stored. If the delivery condition is changed, then the stored documents that fulfill the original delivery condition are searched according to the changed delivery condition. Documents are presented from the searched documents, where the documents presented do not fulfill the changed delivery condition. Fukushige does not disclose this feature. To support the assertion that Fukushige discloses this feature, the Examiner cites column 17, lines 12-18, asserting that "Fukushige suggests unevaluated DCOM value related documents correspond to documents that do not fulfill the changed delivery condition." However, the cited text merely discloses that if the value of CDOM is found in a table, then that value is used as the CDOM. If the

value is not found, then the corresponding unevaluated CDOM value in the calculation result data set 16 is used as the CDOM. Contrary to the Examiner's assertions, unevaluated CDOM value related documents do not correspond to documents that do not fulfill a changed delivery condition, as in the present invention. More specifically, the unevaluated documents of Fukushige is not the same as presenting documents that do not fulfill a changed delivery condition, as in the present invention.

Therefore, Fukushige fails to teach or suggest "of the searched documents, presenting documents that do not fulfill the change delivery condition" as recited in claim 7 and as similarly recited in claim 19.

Claims 9-14

The present invention, as recited in claim 9, provides an information delivery method for delivering documents to a user that fulfill a delivery condition set by the user. The method includes determining whether a document fulfills a present delivery condition. If it is determined that the document fulfills the present delivery condition, then the document is transmitted to the user, who has set the present delivery condition. If the present delivery condition is set by changing a previously set delivery condition, then documents which fulfill the previously set delivery condition are retrieved. Of the retrieved documents that fulfill the previously set delivery condition, a document that has not been delivered to the user is transmitted to the user. The prior art does not disclose all these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record,

particularly Fukushige, whether taken individually or in combination with the other references of record.

As previously discussed, Fukushige discloses a text classifying parameter generator and a text classifier using the generated parameter. However, there is no teaching or suggestion in Fukushige of the information delivery method of the present invention, as recited in claim 9.

Features of the present invention, as recited in claim 9, include retrieving documents which fulfill a previously set delivery condition if a present delivery condition is set by changing the previously set delivery condition. Of the retrieved documents that fulfill the previously set delivery condition, a document that has not been delivered to the user is transmitted to the user. In this way, the present invention discloses where documents are delivered to a user based on a new delivery condition, and an old delivery condition is applied to the new documents transmitted after changing conditions from the old to the new, and where documents based on the old condition are then retrieved and transmitted. Fukushige does not disclose these features. To support the assertion that Fukushige discloses these features, the Examiner cites column 10, lines 50-63; column 11, lines 1-9; column 7, lines 43-47; and column 12, lines 54-61. However, neither the cited text nor any other portions of Fukushige teach or suggest the claimed features. The Examiner suggests that Fukushige's selection criteria at column 10, lines 50-62 correspond to the present delivery condition of the present invention. However, Fukushige fails to disclose the use of both a present delivery condition and a previously set delivery condition, in the manner claimed.

Therefore, Fukushige fails to teach or suggest "if said present delivery condition is set by changing a previously set delivery condition, retrieving documents which fulfill the previously set delivery condition" and "of the retrieved documents which fulfill said previously set delivery condition, transmitting to the user a document that has not been delivered to the user" as recited in claim 9.

Therefore, Fukushige fails to teach or suggest the features of the present invention, as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 U.S.C. §102(e) rejection of claims 1-20 is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 520.43091X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



Donna K. Mason
Registration No. 45,962

DKM/sdb
(703) 684-1120